

Report Date: August 22, 2008

United States District Court

for the

Eastern District of Washington**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**AUG 22 2008**JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Name of Offender: Jason Eric Rodriguez

Case Number: 2:03CR02238-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 9/10/2004

Type of Supervision: Supervised Release

Original Offense: Conspiracy, 18 U.S.C. § 371

Date Supervision Commenced: 11/18/2005

Original Sentence: Prison - 27 Months; TSR - 36
Months

Date Supervision Expires: 11/17/2008

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 20 You shall complete 40 hours of community service work, at the rate of not less than 20 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed no later than 11/7/2008.

CAUSE

As the Court is aware, the defendant has been pending a conclusion on two separate charges, one being in Benton County District Court on a violation of a deferred prosecution on an assault fourth degree, and in Yakima County District Court for hit and run, driving under the influence, driving while license suspended third degree, operating a vehicle without insurance, and having an open container.

On August 11, 2008, the defendant plead guilty to one count of negligent driving in the first degree and one count of driving with a suspended license in Yakima County District Court under case number G-53912, and all other charges were dismissed. The defendant was ordered to pay \$793.25 in court fees with no time in custody. The defendant will appear in Benton County District Court under case number J-520606 on September 4, 2008.

On August 21, 2008, the undersigned officer spoke with the defendant, defense counsel, and the government about a joint recommendation to add a condition for 40 hours of community service to address the violations. It would also be recommended the current court date of September 17, 2008, in Yakima be stricken with no future date to be set. The recommendation is being respectfully recommended to the Court for the following reasons. The defendant has maintained clean conduct over the past 8 months while his cases have been pending in Benton and Yakima counties. He has maintained employment and has recently obtained a new job with Lumberman's in Kennewick making \$10.25 per hour. The defendant and his wife worked with Benton County District Court to have the restraining order removed which allowed the defendant to move back home with his family and to begin repairing the damage. In

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reviewing the options which could be recommended to the Court, and hold the defendant accountable, the recommendation for the added condition of 40 hours of community service seemed appropriate. It is understood by the defendant that he still has a court date in Benton County, which more than likely will end in additional jail time.

The defendant is currently scheduled to terminate his period of supervised release on November 17, 2008. He would be placed on the Department of Corrections work crew to complete his hours if the Court is inclined to agree to the added condition. Attached for the Court's consideration is the waiver of hearing to modify the defendant's conditions of supervised release.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

August 22, 2008David L. McCaryDavid L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☒ Other

Edward L. Shea

Signature of Judicial Officer

8/22/08

Date